

AGENDA
EXCOMM MEETING
Trusts and Estates Section
State Bar of California

March 18, 2006
Downey Brand
9:30 a.m. to 3:30 p.m.



*"Let's be reasonable. Just approve my client, and we'll
all be spared a lot of nasty litigation."*

WELCOME, INTRODUCTIONS AND REPORTS OF CHAIR/VICE CHAIR

- 1 Welcome & Introductions [POTTS]
- 2 Approval of Minutes of February Meeting [POTTS]
- 3 Report of Chair [POTTS]
- 4 Report of Vice Chair [HARTOG]
- 5 Report of Section Administrator [ORLOFF]

II ADMINISTRATIVE MATTERS

- 1 Finance and Budget - Financial Report [HARTOG]

III COMMITTEE, TASK FORCE AND LIAISON REPORTS

- 1 Computer/Internet [GAW]
 - a Discussion Board
 - b Webpage Links in Member's Only Section
 - c Committee Descriptions
 - d Website Protocols
- 2 Quarterly [STREISAND]
 - a Spring 2006 Issue
 - b Summer 2006 Issue
 - c Solicitation of articles
 - d Advertising [Hayes]
- 3 Education [TONG]
 - a State Bar Annual Meeting Programs - Monterey
Reminder -- **April 15, 2006** -- is deadline
to notify Education Chair of the exact names
of each speaker on the panel of each program
that will be presented at the State Bar Annual
Meeting
 - b Stand Alone programs
 - (1) International Estate Planning [Ito]
 - (2) Form 706 Preparation [Orloff/Tong]
 - c 2007 Winter SEI
 - d Your Legal Rights [Tong]
 - e 2007 State Bar Grant Proposal [Tong]
- 4 CEB [GOOD]

- a Upcoming Programs

- 5 Ethics Committee [HORTON/LODISE]
 - a Report of Liaison to Rules Revision Commission/
B&PC § 6068.5 [Stern/Lodise]
 - b Status of Ethics Guide Update

- 6 Membership & Marketing [LAWSON]
 - a Membership count
 - b Marketing of education programs
 - c Staffing tables at MCLE programs

- 7 Legislation [REGGIARDO]
 - a Timeline for response to pending bills
 - b Timeline for TEEExComm legislative proposals
 - c Mandatory procedures re legislative proposals
 - d Online Bill Tracking legislative information:
www.leginfo.ca.gov/

IMPORTANT GUIDELINES:

- Please use approved format for legislative proposals.
- Please use approved comment form for legislation comments.
- Always write to Larry Doyle, not directly to a member of legislature or legislative staff.
- Confirm testimony needs with Legislation Chair.
- If you agree to testify, be there unless otherwise notified

- 8 Trust & Estate Administration Committee [HAND]
 - a Legislative Bills
 - (1) AB 2864 - Statute of Limitations
 - (2) SB 2267 - Probate Limitation Increases
 - [Hand]
 - b Our Pending Legislative Proposals
 - (1) SB 1211 - Creditor Claim Harmonization
 - [Hartog]
 - (2) AB 2347 - UPAIA cleanup [Burger]
 - (3) AB 2042 - Trustee Removal for Incapacity
 - [Horton]
 - c Projects
 - (1) Arluk/Dobler & Trust Creditor Claim Issues
 - [Wallet]
 - d Judicial Council Form Probate Cover Sheet

- 9 Income and Transfer Taxes [HAYES]
 - a Legislative Bills
 - (1) Property Taxation
 - (a) SB 1607
 - (b) AB 2799
 - (2) Income and Corporation Taxes - SB 1713
 - b Federal Legislative Developments
- 10 Estate Planning Committee

[MACDONALD]

 - a Legislative Bills
 - (1) AB 69 - Multiple Party Accounts - [MacDonald]
 - (2) SB 599 - Property Taxation [Godshall]
 - (3) AB 2658 - Tangible Personal Property [Wallet]
 - (4) SB 1272 - Advance Healthcare Directives [MacDonald]
 - b Our Pending Legislative Proposals
 - (1) Certificate of Independent Review [Moore]
 - c Projects
 - (1) Government Code Section 8201
 - (2) Probate Code Section 6132
- 11 AB 651 - California Compassionate Choices Act Task Force

[TONG]
- 12 CLRC Committee [MOORE/STREISAND]
 - a No Contest Clause Study [Kovar/Streisand]
 - b Family Law Money Judgments/Enforcement After Death - AB 2126
 - c Beneficiary Deed Study [Ito]
- 13 Educating Seniors [COREY]
 - a Legislative Bills
 - (1) SB 308 Recording Fees: Elder and Dependent Adult Financial Abuse [Pollard]
 - (2) SB 192: Annuity Sales to Seniors/Suitability Standards [Corey]
 - (3) CANHR proposal: Insurance Sales, Prohibiting the unauthorized practice of law by brokers [Corey]
 - b Projects
 - (1) Elder Abuse Brochure [Corey/Tong]
 - (2) Information Card and Senior Outreach Program [Tong]

(3) Coordination with Office of Emergency
Services [Pollard]

14 Incapacity [STERN]

a Legislative Bills

- (1) AB 2340 - Healthcare Surrogates (BLS 2006-05)
- (2) AB 1908 - Medi-Cal: pharmacy reimbursement
- (3) AB 2486 - In-home Support Services: background checks
- (4) AB 2494 - In-home Support Services: provider training
- (5) AB 2609 - Residential facilities: employee training
- (6) AB 2639 - Medi-cal: adult day care
- (7) AB 3040 - In-home Support Services: background checks
- (8) AB 3048 - In-home Support Services
- (9) SB 1248 - Long-term health care: resident rights
- (10) SB 1280 - Incapacitated persons
- (10) SB 1609 - Reverse mortgages: annuities
- (11) SB 1759 - Health facilities: background checks
- (12) SB 1810 - Long-term care insurance
- (13) AB 1930 - Medi-Cal: drug benefits
- (14) AB 2014 - Programs for Seniors and Independent Adults
- (15) AB 2278 - Mello-Granlund Older Californians Act
- (16) AB 2407 - Mature Driver Program
- (17) AB 2657 - Elder and Adult Dependent Abuse [Corey]
- (18) AB 2749 - Home Improvement Loans [Beltran]
- (19) AB 2754 - Health facilities [Stern]
- (20) AB 2844 - Veteran's eligibility for services
- (21) AB 2911 - Discount Prescription Drug Program
- (22) AB 2968 - Medi-Cal: Community Living Support Benefit [Beltran]
- (23) AB 3013 - HIPAA
- (24) SB 1337 - Developmental Services: Rental Assistance [Stern]
- (25) SB 1702 - State Pharmacy Assistance Program
- (26) SB 1755 - Medi-Cal: Adult Day Care
- (27) SB 1825 - Mental Health: Adults with Mental Deficits
- (28) SB 1197

- b Our Pending Legislative Proposals
 - (1) SB 1307 - HIPAA Conformity [Horton]
 - (2) AB 2042 - Trustee Removal for Incapacity [Horton]
 - c Medi-Cal Update - State Regulation Status
 - d Projects
 - (1) PC § 1470 - Appointed counsel for already represented [Beltran]
 - (2) PC §§ 2590, 2591 - Independent powers of conservator [Green]
- 15 Conservatorship/Guardianship Reform Act Task Force [STERN/LODISE]
 - a AB 1363 - Omnibus conservatorship and guardianship reform act
 - b SB 1116 - Least Restrictive Residence, Sale of Residence Amendments
 - c SB 1550 - Professional Fiduciaries Act
 - d SB 1716 - Ex Parte Communications in Conservatorship Proceedings
- 16 Litigation Committee [KOVAR]
 - a New cases (previously circulated)
 - b Projects
 - (1) Proposed model ADR rules [Henden]
 - (2) Crosby case - Attorney client privilege after death [Horton]
 - (3) Prohibiting Mandatory Arbitration for Elders and Dependents [Corey]
 - (4) Rule of Court 1622(d) [Horton]
 - (5) McAdams and Borissoff [Lodise]
- 17 Conference of Delegates [KOONTZ/TONG]
 - a Resolutions
- 18 NCCUSL [HENDEN]
 - a Uniform Trust Act/Professor English [Moore]
- 19 Family Law Liaison [MOORE]
- 20 New Business
- 21 COMING ATTRACTIONS

FUTURE EXCOMM EVENT

Next ExComm Retreat
April 28-30, 2006
Silverado Resort
Napa, CA